



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.10.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDARW.P. (MD) No.20002 of 2017

WEB COPY

Ayyavu

... Petitioner

-Vs-

1. The Superintendent of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Kallikudi Police Station,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to permit the petitioner to conduct the cultural function viz., Aadal Paadal during the temple festival of "Arulmighu Sri Mariyamman Kovil" Kurayur Village, Thirumangalam Taluk, Madurai District on 02.11.2017 at 07.00 and to further direct the respondent to give adequate police protection for the above said programme by considering my representation dated 28.10.2017.

For Petitioner

: Mr.A.Ananda Raj

For Respondents

: Mr.D.Muruganadam

Additional Government Pleader.

O R D E R

This Writ petition is filed for issuing a Writ of Mandamus, to direct the respondents to permit the petitioner to conduct the cultural function viz., Aadal Paadal during the temple festival of "Arulmighu Sri Mariyamman Kovil" situated at Kurayur Village, Thirumangalam Taluk, Madurai District on 02.11.2017 at 07.00 and to further direct the respondent to give adequate police protection for the above said programme by considering my representation dated 28.10.2017.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.The learned counsel for the petitioner submitted that the villagers jointly decided Aadal Padal Dance Programme on 02.11.2017 in connection with temple festival at "Arulmighu Sri Mariyamman



Kovil" situated at Kurayur Village, Thirumangalam Taluk, Madurai District. He further submitted that in this connection, a representation was given to the respondent on 28.10.2017, with a request to grant permission and protection to conduct the programme on the above said date. However, the respondent police has not yet considered the said representation and hence, the petitioner is before this Court with this Writ Petition.

4.The learned Additional Public Prosecutor appearing for the respondents submitted that this Court may grant permission for "Aadal Padal" programme subject to stringent conditions.

5. Considering the facts and circumstances of the case, the Writ Petition is disposed of with the following directions:

The second respondent/The Inspector of Police, Kallikudi Police Station, Madurai District, is directed to consider the representation of the petitioner, dated 28.10.2017 and to give permission and to provide police protection for "Aadal Padal" programme in connection with temple festival of "Arulmighu Sri Mariyamman Kovil" situated Kurayur Village, Thirumangalam Taluk, Madurai District, scheduled to be held on 02.11.2017, subject to the following conditions;

*(a) the "Aadal Padal" programme in connection with temple festival of "Arulmighu Sri Mariyamman Kovil" situated Kurayur Village, Thirumangalam Taluk, Madurai District, scheduled to be held on 02.11.2017 should be completed before **10.30 p.m.** or as may be permitted by the second respondent police.*

(b) there should not be any kind of obscene dance or vulgar dialogues during the performance, by any one of the participants;

(c) double meaning songs should not be played so as to spoil the minds of students and the youth;

(d) no dance or songs, touching upon any political party or religion, community or caste be played;

(e) there should not be any Flex Boards representing any community or political leaders;

(f) the function should not affect either religious or communal harmony and shall be conducted without any discrimination based on caste;

(g) if there is any violation of any one of the



conditions imposed, the concerned Police Officer is at liberty to take necessary action, as per law and stop such performance;

(h) similarly, the Police is empowered to stop the programme, if it exceeds beyond the permitted time;

(i) the participants of the programme shall not intake any kind of in-toxic substance or liquor during the programme; and

(j) if any untoward incident takes place, the organizers of the programme be made responsible for the same.

6.It is open to respondent police to put any further restrictions or to impose any conditions purely in the interest of preserving public order and tranquillity. There can be a total ban for putting up any Flex Boards representing any community. No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Madurai District,
Madurai.

2. The Inspector of Police,
Kallikudi Police Station,
Madurai District.

+ 1 CC TO MR.A.Ananda Raj, ADVOCATE IN SR No. 84576

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.84666

cmr

VB/RSK/SAR-2/01.11.2017/3P/5C

W.P.(MD) No.20002 of 2017
31.10.2017